

USDC SCAN INDEX SHEET



DESGANTIS

LAULOM

GB

3:96-CV-01692

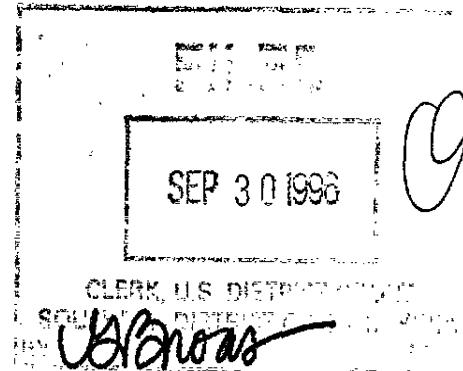
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CMP.

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12 Attorneys for Plaintiff
13 EUGENE DESANTIS, d/b/a DESANTIS
14 HOLSTER & LEATHER GOODS



3. This court has jurisdiction over this action under 28 USC §1338(a) since the matter in controversy arises under an act of Congress relating to patents (35 USC §281).

4. This Court has venue under 28 USC §§1400(b) and 1391(c) since the defendant resides in and does business in this judicial district.

CLAIM FOR RELIEF

5. On December 15, 1992, United States patent 5,170,919 was duly, properly, and legally issued to DeSantis, assigned by the co-inventor Mitchell Bloom, for "SIMULATED POUCH WITH INTERIOR CONCEALED HOLSTER" ("SAID PATENT"). SAID PATENT is valid and in full force and effect, and products sold by DeSantis under the claims of SAID PATENT have enjoyed substantial commercial success and recognition in the trade. A copy of SAID PATENT is appended hereto as Exhibit 1. The products sold by DeSantis are marked with the patent number of SAID PATENT.

6. Upon information and belief, Coronado has been, and is, manufacturing and/or having manufactured, and offering for sale and/or selling, a simulated pouch known as the Stealth Pac (and possibly others) which is a clear infringement of at least claim 1 of SAID PATENT pursuant to 35 USC §271(a).

7. Coronado has been advised of the infringement and has refused to terminate it. The infringement of SAID PATENT by Coronado has been willful, wanton, egregious, and with disregard of DeSantis's patent rights, and will continue unabated unless enjoined by this Court.

WHEREFORE, DeSantis demands:

(a) An injunction against the defendant enjoining the defendant, its employees, agents, attorneys, and privies, and all those in active concert or participation therewith, from the continued infringement of U.S. patent 5,170,919.

1 (b) An award of damages, not less than a reasonable royalty and including
2 prejudgment interest, adequate to compensate DeSantis for the infringement of his
3 patent complained of herein, together with interest and costs as affixed by the
4 Court, pursuant to 35 USC §284.

5 (c) That any damages awarded pursuant to 35 USC §284 be trebled, as
6 provided by 35 USC §284, in view of the defendants' intentional infringement of
7 DeSantis's patent.

8 (d) An award to DeSantis of reasonable attorney fees due to the exceptional
9 nature of this case, pursuant to 35 USC §285; and

10 (e) Such other and further relief as this Court deems just and proper.

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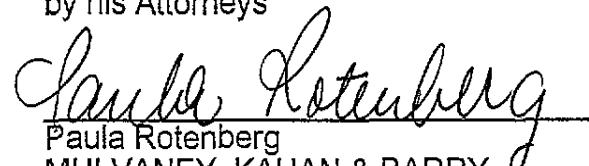
12 **JURY DEMAND**

13 Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure and the 7th
14 Amendment to the Constitution of the United States, plaintiff demands a trial by jury
15 of all issues triable as of right by jury in the above action

16

17 Dated: September 30, 1996 Respectfully submitted,

18 EUGENE DESANTIS
19 by his Attorneys

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EXHIBIT 1



US005170919A

United States Patent [19]

DeSantis et al.

[11] Patent Number: 5,170,919

[45] Date of Patent: * Dec. 15, 1992

[54] SIMULATED POUCH WITH INTERIOR, CONCEALED HOLSTER

[75] Inventors: Eugene DeSantis, 149 Denton Ave., New Hyde Park, N.Y. 11040; Mitchell Bloom, New Hyde Park, N.Y.

[73] Assignee: Eugene DeSantis, New Hyde Park, N.Y.

[*] Notice: The portion of the term of this patent subsequent to Oct. 30, 2007 has been disclaimed.

[21] Appl. No.: 603,396

[22] Filed: Oct. 26, 1990

4,750,655 6/1988 Barry 224/243

FOREIGN PATENT DOCUMENTS

624295 12/1977 Switzerland 224/224

OTHER PUBLICATIONS

Sep.. 1984 Fire Power magazine, pp. 1, 5, 68, 69, 75.
 Tactical Enterprises Inc. brochure "New Items Price List" item BT110 document A000102 (not admitted to be prior art) (No Date).

Primary Examiner—Henry J. Recia

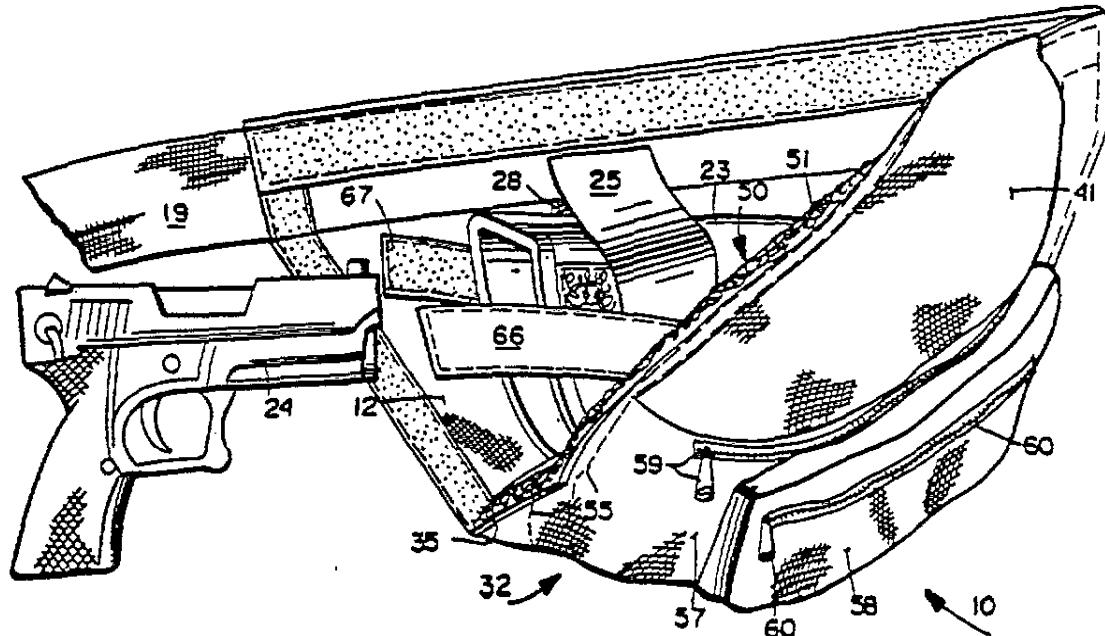
Assistant Examiner—Glenn T. Barrett

Attorney, Agent, or Firm—Nixon & Vanderhye

[57] ABSTRACT

A hand gun in a holster is completely concealed by a simulated carrying pouch. A backing is mounted on a wearer, as with a belt around the wearer's waist. A holster is mounted on the backing completely within the area defined by the top, bottom and ends of the backing. A flap, permanently attached at the bottom to the backing but releasably attached by hook and pile fasteners (VELCRO®) at the top and two ends of the backing defines a textile material (fabric) or leather container which simulates a carrying pouch and completely conceals the holster and hand gun. Pockets may be provided in the flap. The holster is reversibly mounted on the backing using hook and pile fasteners, and hook and pile fastener straps releasably hold the hand gun within the holster. To gain access to the hand gun, the hook and pile fasteners at the top and two ends of the backing and flap are detached to completely expose the handgun for ready access.

14 Claims, 2 Drawing Sheets



U.S. Patent

Dec. 15, 1992

Sheet 1 of 2

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FIG. 1

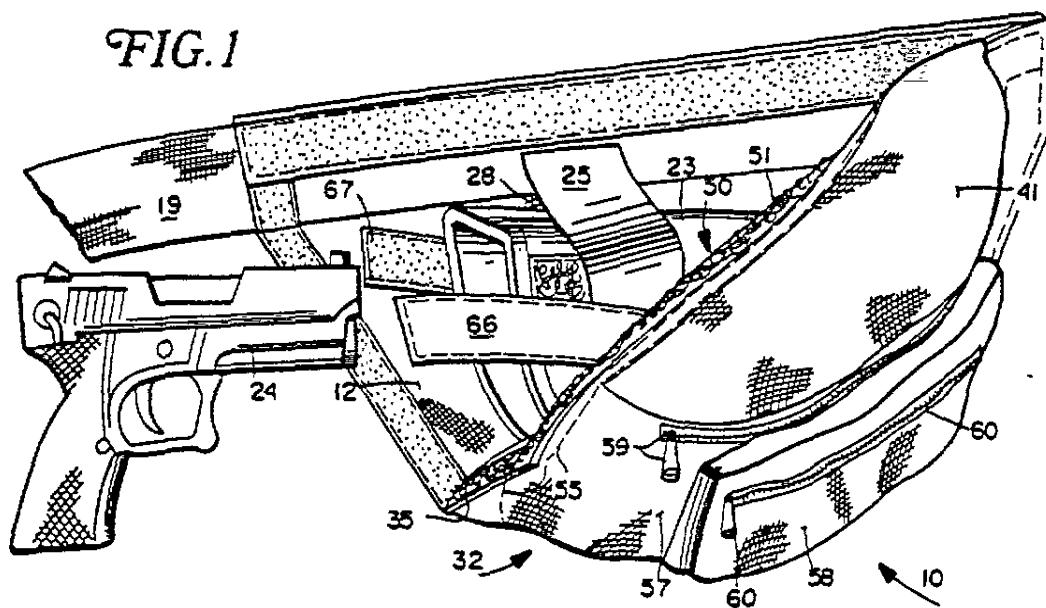
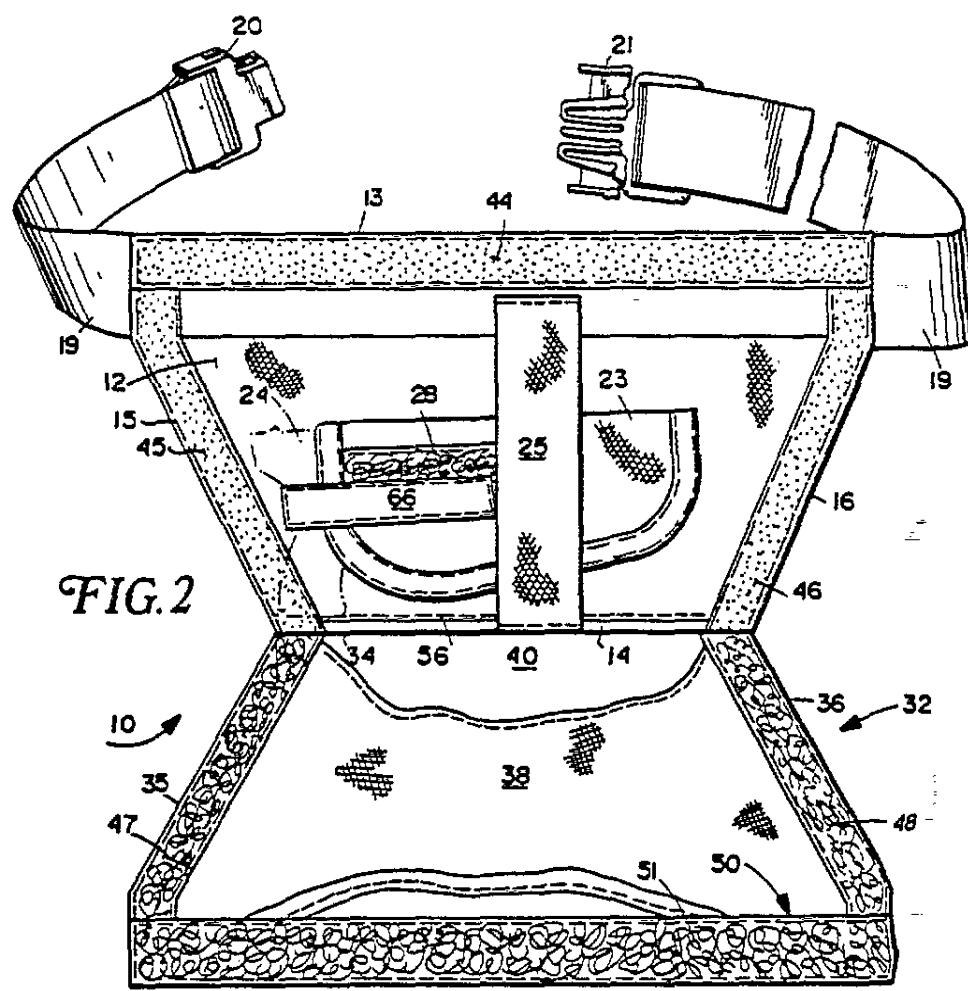


FIG. 2



U.S. Patent

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FIG. 3

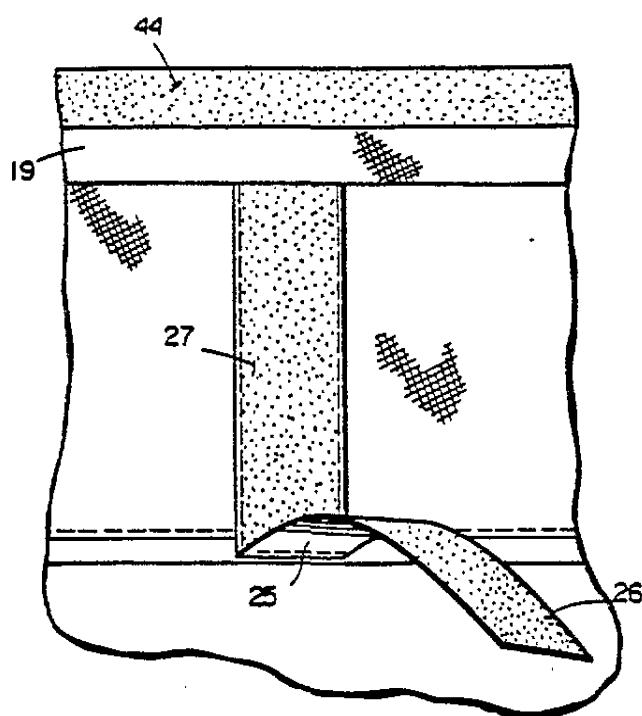
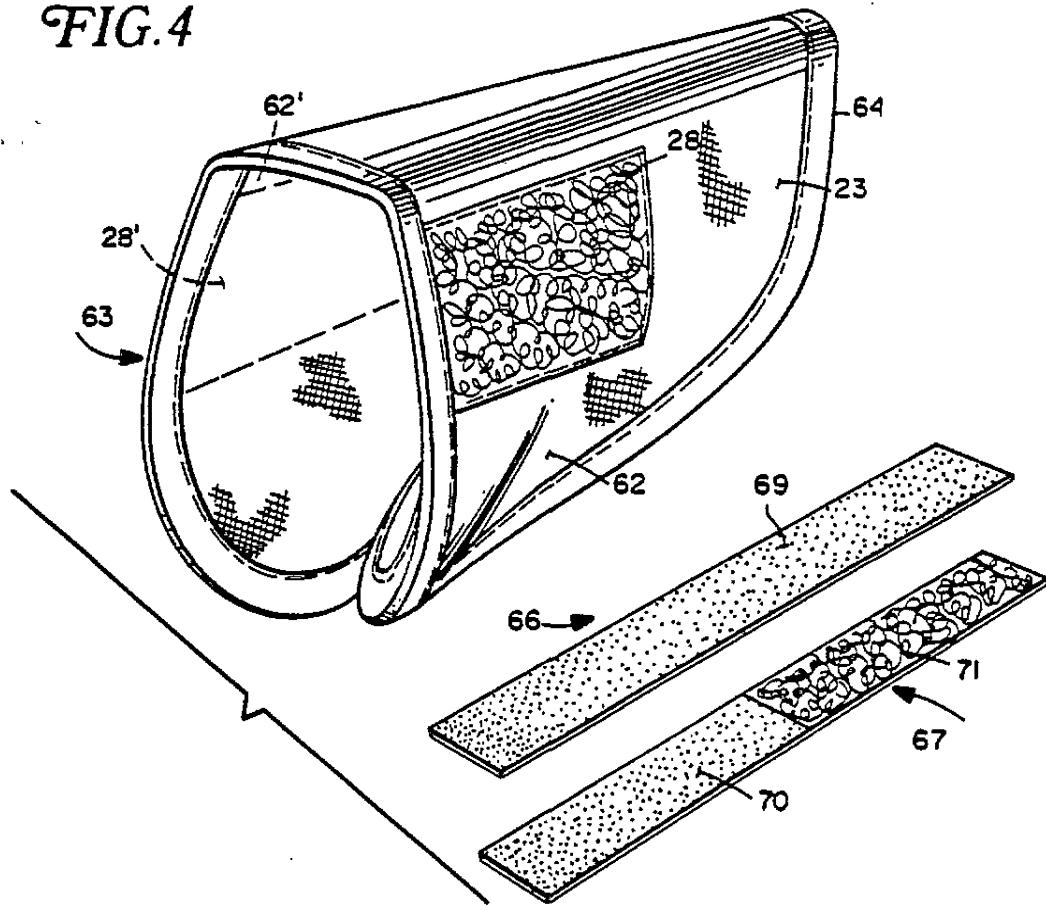


FIG. 4



SIMULATED POUCH WITH INTERIOR, CONCEALED HOLSTER

This is a continuation of application Ser. No. 5 07/435,172, filed Nov. 13, 1989, now U.S. Pat. No. 4,966,320.

BACKGROUND AND SUMMARY OF THE INVENTION

There are many situations when a person authorized to carry a hand gun wants to completely conceal the hand gun. For example undercover policemen, couriers, plainclothes security guards, and the like oftentimes have need to completely conceal a hand gun in situations where they are not wearing a jacket, and without providing significant discomfort. However while concealment of the hand gun is desirable, the wearer must have ready access to the hand gun in emergency situations.

According to the present invention, an assembly is provided that allows a wearer to completely hide a hand gun on his/her person yet position the hand gun so that it is readily accessible for a "quick draw". This is provided according to present invention by utilizing a 25 simulated carrying pouch assembly, which looks like a conventional carrying pouch often worn by men and women as a utilitarian article of fashion. However the simulated carrying pouch assembly has the outer portion thereof readily detachable from the inner portion to expose a holster and hand gun mounted on the interior thereof. The simulated carrying pouch assembly can be attached by a belt to the wearer's waist, or may be attached by a shoulder strap or the like.

According to one aspect of the present invention, a 35 simulated carrying pouch assembly is provided comprising: A backing having a top, bottom, and two ends. A flap having a top, bottom, and two ends, with a central portion between the top, bottom, and two ends, with an excess of material forming the flap so that the 40 central portion of the flap defines a container adapted to stand out from the backing. Readily releasable fastener means attaching the flap top and ends to the backing top and ends, respectively. Means for attaching the flap bottom to the backing bottom. Means for mounting the 45 backing on a wearer. Means for mounting a holster, capable of holding a hand gun, on the backing completely within the area defined by the top, bottom, and ends thereof, and within the container defined by the flap when the flap top, bottom, and ends are in engagement with the backing top, bottom, and ends. And, a 50 holster adapted to be mounted by the holster mounting means.

The readily releasable fastener means preferably comprise hook and pile fasteners ("VELCRO®") on 55 the exterior of the backing ends, and interior of the flap ends. The flap bottom is preferably permanently attached to the backing bottom. The flap is preferably formed of a textile material (fabric), such as nylon, and the excess material therein is provided by fabric inserts. The flap has permanent attachment simulating means (stitching) formed at the exterior of the ends thereof, and a sub-flap at the top having part of a hook and pile fastener system formed on the exterior thereof and adapted to be bent over to engage the other part of a 60 hook and pile fastener system at the backing top.

According to another aspect of the present invention a holster mounting system is provided for reversibly

mounting a holster. The system comprises: A backing having a top and a bottom. Means for mounting the backing on a wearer. A first strip of hook and pile fastening material of one type extending from the top to the bottom at a central portion of the backing. A loop of textile material connected adjacent the backing top and bottom overlying the first strip, and having an interior surface with the one type of the hook and pile fastening material. A holster having opposite sides and an open end. And, hook and pile fastening material strips of the other type disposed on the opposite sides of the holster for cooperating with the first strip and the loop for removably mounting the holster on the backing. Straps are preferably provided for releasably holding the gun in the holster at the open end thereof. One of the straps has hook and pile fasteners of one type disposed substantially along the entire length thereof, while the strap has hook and pile fasteners of one type disposed along about half the length thereof, and of the other type 20 along the other approximately half thereof. Thus each strap cooperates with the fasteners on the holster sides, and with each other, to releasably hold the hand gun in the holster.

The holster is reversibly mounted on the backing so that it may be readily drawn by either a left handed or right handed wearer regardless of the exact positioning of the backing on the wearer's body.

According to yet another aspect of the present invention, a method is provided for concealing a hand gun yet allowing ready access thereof. The method comprises the steps of: Reversibly mounting a holster on a 30 backing. Attaching the backing to a portion of the wearer's body. Releasably connecting a simulated carrying pouch on the backing, including at least at the top and ends thereof, so as to completely conceal the hand gun and holster. And, effecting quick release of the releasable fasteners attaching the simulated carrying pouch at the top and ends of the backing, so as to quickly expose the holster and hand gun. The step of 40 mounting the backing on the wearer is preferably accomplished utilizing a belt attaching the backing to around the wearer's waist.

It is the primary object of the present invention to provide for the effective concealment, yet ready access to, a hand gun. This and other objects of the invention will become clear from an inspection of the detailed description of the invention, and from the appended claims.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a top perspective exploded view showing the simulated carrying pouch assembly according to the invention when the flap is being detached to expose and allow access to the hand gun and holster, and showing the hand gun removed from the holster;

FIG. 2 is a front view of the assembly of FIG. 1 with the flap completely detached along the top and ends thereof from the backing;

FIG. 3 is a detail exploded view showing the mechanism on the backing for releasably attaching the holster to the backing; and

FIG. 4 is a perspective view of the holster and gun holding straps of the assembly of FIGS. 1 and 2.

DETAILED DESCRIPTION OF THE DRAWINGS

A simulated pouch carrying assembly according to the invention is shown generally by reference numeral

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10 in FIGS. 1 and 2. One of the main components of the assembly 10 is the backing 12 which has a top 13, bottom 14, and two ends 15 and 16 (FIG. 2). The backing 12 is preferably mounted on the wearer's body at a convenient or "fashionable" position, as by utilizing a textile material belt 19 which has female 20 and male 21 fasteners at the ends thereof, the fasteners 20, 21 being conventional. While a belt 19 is shown, a shoulder strap, or other attachment device for mounting the backing 12 on the wearer, may be provided.

A holster 23 adapted to be mounted on the backing 12 is also provided, for holding a hand gun 24. The holster 23, which may be made of a textile material such as nylon, or leather, is adapted to be mounted on the backing 12 preferably in a reversible manner so that it may be readily accessed and utilized by a left handed or a right handed person. A strap of fabric material 25 is attached (as by permanent stitching) at the top and bottom thereof to the backing adjacent to the top 13 and bottom 14 of the backing 12. The interior face of the strap or loop 25, which preferably is of textile material such as nylon has one component of a hook and pile fastening system 26 formed on the interior surface thereof, and overlying a strip 27 of a preferably like component of a hook and pile fastening system 27 attached directly to the backing 12. For example both the interior surface 26 of the loop 25 and the material 27 (see FIG. 3) may be the hook component of a VELCRO® fastening system. The elements 26, 27 cooperate with pieces of material 28, 28' (see FIG. 4) associated with the holster 23, the portions 28, 28' for example being pile components of a VELCRO® fastening system.

The backing 12 may be made of a wide variety of materials. One particularly useful manner of construction, however, is to provide a flexible sheet of relatively stiff material, such as cardboard or reinforcing plastic, and cover it with fabric, and stitch, or otherwise attach, the belt 19 at the top thereof. The top of the loop 25 is then actually stitched to the belt 19. If the backing 12 is of leather, a reinforcing plastic or cardboard sheet is not necessary since backing 12 will be relatively rigid on its own.

The assembly 10 further comprises a flap 32 which has a top 33, bottom 34, and ends 35 and 36. A central portion 38 is provided between the top, bottom, and ends 33-36, with excess material forming the flap. The excess material may be in the form of fabric inserts 40, 41 stitched to the central portion 38 and other portions of the flap 32. The flap 32 preferably is made of a textile material, such as nylon, and it may have waterproofing coating on the interior thereof. Alternatively it could be made of leather (including inserts 40, 41). A central portion 38, with fabric inserts 40, 41, defines a container adapted to stand out from the backing 12 and completely conceal the hand gun 24 in the holster 23 therewithin.

Note that the holster 23 and the holster mounting means 25, etc. mount the holster 23 and gun 24 so that they are completely within the area defined by the top, bottom, and ends 13 through 16 of the backing 12 (see FIGS. 1 and 2).

The assembly 10 further comprises readily releasable fastening means for attaching the flap top 33 and ends 35, 36 to the backing top 13 and ends 15, 16, respectively, to define a simulated pouch while allowing ready access to the gun 24 mounted on the backing 12. The readily releasable fastener means preferably comprise

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strips 44, 45, and 46 of one component of a hook and pile fastener system (e.g. hooks) disposed along the top 13 and ends 15, 16, respectively, of the backing 12, and strips 47, 48, and 51 of the other component of a hook and pile fastener system (e.g. pile) along the ends and tops, respectively of the flap 32. The sub-flap 50 has a strip 51 of VELCRO® pile component which engages strip 44 hook components. The sub-flap 50 is pop stitched to the flap 32 and preferably extends the width of the top 33.

As seen in FIG. 1, permanent attachment simulating means 55 are preferably formed at the exterior of the flap 32, at least at the ends 35, 36 thereof. The permanent attachment simulating means preferably comprises stitching, as illustrated at 55 in FIG. 1. However in addition to providing permanent attachment simulation, the stitching may have a utilitarian function of actually attaching the strips 47, 48 (and even 51) of the VELCRO® to the interior end surfaces of the flap 32 (or sub-flap 50). However the VELCRO® strips can be attached by other means, such as adhesive, in which case the stitching 55 performs solely a permanent attachment simulating function to make the flap 32 appear merely as a conventional carrying pouch.

The attachment at the bottoms 14, 34 of the backing 12 and flap 32 may also be by releasable fasteners, however preferably the attachment is provided by permanent fastening means, such as the stitching 56 (FIG. 2).

It is also desirable to provide one or more pockets in the flap 32, accessible from the exterior thereof. For example a first pocket 57 (FIG. 1) and a second pocket 58 may be provided, closed by zippers 59, 60, respectively. While it is desirable that the pockets 57 and 58 be useful as real pockets, for carrying ammunition or other articles, they may merely be simulated pockets and provide only a disguising function causing the flap 32 to look as much like a conventional carrying pouch as possible. In any event, it is desirable to provide the pockets 57, 58 in such a way that they are graspable by the wearer of the assembly 10, the wearer grasping the flap 32 at the pockets 57, 58 to apply a force stripping the fastener components 44 through 46 from the fastener components 47, 48 and 51 to expose the hand gun 24 and holster 23.

The manner in which the holster 23 is mounted on the backing 12 and that the hand gun 24 is held therein is illustrated more clearly in FIG. 4. The holster 23 has opposite sides 62, 62', and an open end 63, and an end 64 opposite the open end. The end 64 may be partially open so that the muzzle of a gun may extend up to or through it, or it may be closed, depending upon the particular hand gun utilized. The holster 23 preferably is made of fabric such as nylon, with the large VELCRO® sections 28, 28' stitched or otherwise permanently attached to the sides 62, 62' respectively of the holster 23.

A pair of straps 66, 67 are provided for cooperation with the holster 23 and the gun 24 therein for releasably holding the hand gun in the holster 23. The strap 66 has on an innerface thereof a hook and pile fastener component 69 substantially along the length thereof, e.g. hooks. The strap 67, on the other hand, has one component of a hook and pile fastening system, such as hooks 70, along approximately half the length thereof, while the other fastener component, loops, 71 are provided along the approximate other half thereof. In this way the straps 66, 67 are connected at one end thereof to the VELCRO® loop sections 28, 28', and are connected at

the other ends thereof (loop 71 to hook 69) to each other. The straps have a length long enough to engage both the VELCRO® sections 28, 28' and each other past the hand gun 24, as illustrated in FIG. 2.

Note that the sections 28, 28' are large enough so that they can cooperate both with straps 66, 67 and the fastener components 26, 27 (FIG. 3), to both releasably mount the holster 23 on the backing 12, and hold the gun 24 within the holster 23.

In the typical method of utilization of the assembly 10, the user inserts the hand gun 24 in the holster 23, and puts the straps 66, 67 into engagement with the VELCRO® sections 28, 29, and the loops 71 in engagement with the hooks 69 at the opposite end of the hand gun 24 from the holster 23, to releasably hold the hand gun 24 within the holster 23. Then the holster 23 is inserted between the loop 25 and backing 12, in either direction depending upon whether the wearer is left handed or right handed and where the assembly 10 will be mounted on the wearer's body, so that the loops of the sections 28, 28' engage the hooks of the sections 26, 27. The holster 23 is thus releasably mounted on the backing 12, and the holster 23 and hand gun 24 are completely within the area defined by the top, bottom, and ends 13 through 16 of the backing 12.

After the holster 23 is mounted on the backing 12, the wearer pivots the flap upwardly about the bottom portions 14, 34 of the backing 12 and flap 32, respectively, and presses the VELCRO® strips 47, 45 into contact 30 with each other, and the strips 48, 46 into contact with each other. At the top, the VELCRO® portion 51 of sub-flap 50 is pressed into engagement with the VELCRO® strip 44. The assembly 10 so positioned completely simulates a conventional carrying pouch, which 35 is well known as a utilitarian

What is claimed is:

1. A simulated carrying pouch assembly comprising: a backing having a top, bottom, and two ends; means defining a flexible material container standing out from said backing, to define a volume, and having a top; fastener means at the top of the container for allowing access to the backing; means for mounting said back on a wearer; means for mounting a holster, capable of holding a hand gun, on said backing completely within the volume defined by said container; said container, when said fastening means is opened, allowing ready access to said holster; wherein said container simulates a carrying pouch so as to fully conceal the fact that a gun is mounted therein; and wherein said fastener means also extends along at least one end of said container to allow access to said backing at the top and at least one end of said backing.
2. An assembly as recited in claim 1 wherein said holster is attached to said backing by hook and pile fasteners.
3. An assembly as recited in claim 2 wherein said container accurately simulates a conventional waist carrying pouch worn by men and women as a utilitarian article of fashion, and includes a waist strap as said means for mounting said backing on a wearer.

4. An assembly as recited in claim 1 wherein said container accurately simulates a conventional waist carrying pouch worn by men and women as a utilitarian article of fashion, and includes a waist strap as said means for mounting said backing on a wearer.

5. An assembly as recited in claim 1 wherein said fastener means comprises hook and loop fasteners disposed at the top of said container and along at least one end thereof.

6. An assembly as recited in claim 1 wherein said fastener means extends along two ends of said container to allow access to said backing at the top and at two ends of said backing.

7. An assembly as recited in claim 6 wherein said fastener means comprises hook and loop fasteners disposed at the top of said container and along two ends thereof.

8. A simulated carrying pouch assembly comprising: a backing having a top, bottom, and two ends; means defining a flexible material container standing out from said backing, to define a volume, and having a top; fastener means at the top of the container for allowing access to the backing; means for mounting said backing on a wearer; means for mounting a hand gun, on said backing completely within the volume defined by said container; said container, when said fastening means is opened, allowing ready access to a hand gun mounted within said container; wherein said container simulates a carrying pouch so as to fully conceal the fact that a gun is mounted therein; and wherein said fastener means also extends along at least one end of said container to allow access to said backing at the top and at least one end of said backing.

9. An assembly as recited in claim 8 wherein said means for mounting a hand gun within said container comprises a holster attached to said backing by hook and pile fasteners.

10. An assembly as recited in claim 8 wherein said container accurately simulates a conventional waist carrying pouch worn by men and women as a utilitarian article of fashion, and includes a waist strap as said means for mounting said backing on a wearer.

11. An assembly as recited in claim 8 wherein said fastener means comprises hook and loop fasteners disposed at the top of said container and along at least one end thereof.

12. An assembly as recited in claim 8 wherein said fastener means extends along two ends of said container to allow access to said backing at the top and at two ends of said backing.

13. An assembly as recited in claim 12 wherein said fastener means comprises hook and loop fasteners disposed at the top of said container and along two ends thereof.

14. An assembly as recited in claim 12 wherein said container accurately simulates a conventional waist carrying pouch worn by men and women as a utilitarian article of fashion, and includes a waist strap as said means for mounting said backing on a wearer.

United States District Court

SOUTHERN

DISTRICT OF

CALIFORNIA

EUGENE DESANTIS, d/b/a DESANTIS HOLSTER
& LEATHER GOODS

SUMMONS IN A CIVIL ACTION

v.

CASE NUMBER:

DANNY LAULOM, d/b/a CORONADO LEATHER

'961692 E JFS

TO: (Name and Address of Defendant)

DANNY LAULOM, d/b/a CORONADO LEATHER
120 "C" Avenue
Coronado, CA 92118

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

Paula Rotenberg, Esq., CSB #109976
Carrie L. Gleeson, Esq. CSB #144778
MULVANEY, KAHAN & BARRY
401 West "A" St., 17th Floor
San Diego, CA 92101

Robert A. Vanderhye, Esq.
NIXON & VANDERHYE
1100 North Glebe Road
8th Floor
Arlington, VA 2201-4714

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

SEP 3 0 1996

ROBERTA WESTDAL

CLERK

DATE

KEVIN BOND

AO 120 (3/85)

TO: Commissioner of Patents and Trademarks Washington, D.C. 20231	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT
--	--

In compliance with the Act of July 19, 1952 (66 Stat. 814; 35 U.S.C. 290) you are hereby advised
 that a court action has been filed on the following patent(s) in the U.S. District Court:

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
96-cv-1692-E (JFS)	9/30/96	United States District Court, Southern District of California
PLAINTIFF		DEFENDANT
Eugene De Santis dba DeSantis Holster & Leather Goods		Danny Laulom dba Coronado Leather
PATENT NO.		PATENTEE
1 5,170,919		Eugene DeSantis and Mitchell Bloom
2		
3		
4		
5		

In the above-entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY			
	<input type="checkbox"/> Amendment	<input type="checkbox"/> Answer	<input type="checkbox"/> Cross Bill	<input type="checkbox"/> Other Pleading
PATENT NO.	DATE OF PATENT	PATENTEE		
1				
2				
3				
4				
5				

In the above-entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGMENT		
CLERK	(BY) DEPUTY CLERK	DATE

Copy 1 - Upon initiation of action, mail this copy to Commissioner Copy 3 - Upon termination of action, mail this copy to Commissioner

Copy 2 - Upon filing document adding patent(s), mail this copy to Commissioner Copy 4 - Case file copy

AO 120 (3/85)

TO: Commissioner of Patents and Trademarks Washington, D.C. 20231	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT
---	--

In compliance with the Act of July 19, 1952 (66 Stat. 814; 35 U.S.C. 290) you are hereby advised
that a court action has been filed on the following patent(s) in the U.S. District Court:

DOCKET NO. 96-cv-1692-E (JFS)	DATE FILED 9/30/96	U.S. DISTRICT COURT United States District Court, Southern District of California
PLAINTIFF Eugene De Santis dba DeSantis Holster & Leather Goods		DEFENDANT Danny Laulom dba Coronado Leather
PATENT NO.	DATE OF PATENT	PATENTEE
1 5,170,919	12/15/92	Eugene DeSantis and Mitchell Bloom
2		
3		
4		
5		

In the above-entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY	<input type="checkbox"/> Amendment	<input type="checkbox"/> Answer	<input type="checkbox"/> Cross Bill	<input type="checkbox"/> Other Pleading
PATENT NO.	DATE OF PATENT	PATENTEE			
1					
2					
3					
4					
5					

In the above-entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGMENT		
CLERK	(BY) DEPUTY CLERK	DATE

Copy 1 - Upon initiation of action, mail this copy to Commissioner Copy 3 - Upon termination of action, mail this copy to Commissioner

Copy 2 - Upon filing document adding patent(s), mail this copy to Commissioner Copy 4 - Case file copy

JS 44

(Rev. 11/95)

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

EUGENE DESANTIS, d/b/a DESANTIS
HOLSTER & LEATHER GOODS

DEFENDANTS

DANNY LAULOM, d/b/a CORONADO LEATHER

SEP 30 1996

CPB

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF _____
(EXCEPT IN U.S. PLAINTIFF CASES)

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT SAN DIEGO

(IN U.S. PLAINTIFF CASES ONLY) COURT

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
TRACT OF LAND INVOLVED**(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)**

Paula Rotenberg, Esq./CSB #108976
Carrie L. Gleeson, Esq./CSB #144778
Mulvaney, Kahan & Barry
401 W. "A" St., San Diego, CA 92101

ATTORNEYS (IF KNOWN)

961692 E JFS

II. BASIS OF JURISDICTION (PLACE AN "X" IN ONE BOX ONLY)

1 U.S. Government Plaintiff 3 Federal Question (U.S. Government Not a Party)

2 U.S. Government Defendant 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(For Diversity Cases Only)

(PLACE AN "X" IN ONE BOX FOR PLAINTIFF
AND ONE BOX FOR DEFENDANT)

Citizen of This State	<input type="checkbox"/> PTF	<input type="checkbox"/> DEF	<input type="checkbox"/> PTF	<input type="checkbox"/> DEF
Citizen of Another State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 2	<input type="checkbox"/> 2	<input type="checkbox"/> 5	<input type="checkbox"/> 5
	<input type="checkbox"/> 3	<input type="checkbox"/> 3	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from another district (specify) 6 Multidistrict Litigation 7 Magistrate Judgment

Appeal to District Judge from

V. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL INJURY	<input type="checkbox"/> 422 Appeal	400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 428 Other Food & Drug	410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 423 Withdrawal	430 Banks and Banking
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 28 USC 157	450 Commerce/ICC Rates/etc
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability		PROPERTY RIGHTS	460 Deportation
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine		<input type="checkbox"/> 220 Copyrights	470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 370 Other Fraud	<input checked="" type="checkbox"/> 830 Patent	810 Selective Service
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 840 Trademark	850 Securities/Commodities/Exchange
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	SOCIAL SECURITY	875 Customer Challenge 12 USC 3410
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 861 HIA (1395f)	891 Agricultural Acts
<input type="checkbox"/> 195 Contract Product Liability			<input type="checkbox"/> 862 Black Lung (923)	892 Economic Stabilization Act
REAL PROPERTY				
<input type="checkbox"/> 210 Land Condemnation	CIVIL RIGHTS	PRISONER PETITIONS	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	893 Environmental Matters
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus	<input type="checkbox"/> 864 SSID Title XVI	894 Energy Allocation Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 530 General	<input type="checkbox"/> 865 RSI (405(g))	895 Freedom of Information Act
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 535 Death Penalty	FEDERAL TAX SUITS	900 Appeal of Fee Determination Under Equal Access to Justice
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 540 Mandamus & Other	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	950 Constitutionality of State Statutes
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 871 IRS - Third Party	890 Other Statutory Actions
			<input type="checkbox"/> 26 USC 7609	

VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.
DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

Patent infringement under 35 USC 317 et seq.

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION
 UNDER F.R.C.P. 23DEMAND \$ Injunction
and damages to be
determinedCHECK YES only if demanded in complaint:
JURY DEMAND: YES NO**VIII. RELATED CASE(S)** (See instructions:
IF ANY)

JUDGE _____ DOCKET NUMBER _____

DATE

September 30, 1996
FOR OFFICE USE ONLYSIGNATURE OF ATTORNEY OF RECORD
Paula Rotenberg

Paula Rotenberg

RECEIPT # _____ AMOUNT _____ APPLYING IPP _____ JUDGE _____ MAG. JUDGE _____

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